

Mark Luers spoke on behalf of his mother who lives on the east side of the project. He felt that the statement that the house will be built using the same footprint as the existing house is misleading and wondered regarding the impacts of the project on his mother's views and privacy.

Jim Mosher spoke regarding the project needing to be reviewed by the Coastal Commission and questioned whether the project is consistent with the Coastal Act. He addressed the purpose for granting variances, wondered if it is being done in a consistent way and commented on the computation of the lot size and square footage based on the sloping site. Additionally, he referenced typographical errors within the resolution.

Chair Hillgren requested that Mr. Mosher submit corrections to the resolution to staff after the meeting.

Vice Chair Tucker stated that the City does not protect private views. He noted that the variance requested in this case has no impact on views or privacy, but rather deals only with an underground front yard setback encroachment and the height of a portion of a stairway.

Brion Jeannette, architect, highlighted elements in the design and explained efforts to protect neighboring views. He felt that the project will improve public views and stated that the project meets the provisions of the Coastal Act. He added that the square footage is sixty-five (65%) percent of what would be allowed under the current Zoning Code. He addressed consistency with the predominant line of existing development.

There being no others wishing to address the Planning Commission, Chair Hillgren closed the public comments for this item.

**Motion** made by Vice Chair Tucker and seconded by Commissioner Myers and carried (6 – 0 – 1), to adopt a resolution approving Variance No. VA2013-004 and finding the project is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3 with changes to Condition of Approval No. 16, deleting the requirement of approval by the Orange County Health Department.

AYES:	Ameri, Brown, Hillgren, Kramer, Myers, and Tucker
NOES:	None
ABSTENTIONS:	None
ABSENT:	Lawler

#### **ITEM NO. 4      SCHULEIN PARKING USE PERMIT AND VARIANCE (PA2013-090)** **Site Location:** 2828 East Coast Highway

Associate Planner Fern Nueno presented details of the report including a description of the project, location, lot area, existing conditions, anticipated use, closing of the curb cut, bicycle parking, architectural design, establishment of a parking management plan, compatibility with the neighborhood, and consistency with the Zoning Code standards and General Plan policies. She addressed policies that allow nonconforming buildings to be reconstructed with the same amount of parking, and details of the variance, noting that it would allow for a more usable area to maximize parking. Ms. Nueno noted review and approval by the City Traffic Engineer and recommendations as listed in the report.

Discussion followed regarding the area with the existing retaining wall, removal of an existing pole sign, and compliance with sign standards.

Regarding the potential for awning signs, Assistant City Attorney Leonie Mulvihill reported that the Code provides for either a wall sign or an awning sign. Vice Chair Tucker expressed concerns regarding problems with maintenance of awnings that awnings are often not maintained and in this case and availability of areas for wall signs are available.

Ms. Mulvihill initially reported that she would like to review the sign code, but felt that because awning signs are allowed in the Code, sign location is not supported as a condition of approval for this application.

Deputy Community Development Director Brenda Wisneski added that there are General Plan policies in place requiring high levels of architectural design and if it is determined that awning signs detract from the proposed contemporary design of the building, then that would provide justification for not allowing the awning signs.

Vice Chair Tucker inquired about the building materials and staff reported receiving no samples of materials.

Discussion followed regarding providing samples of building materials and it was noted that they are not required by the Code.

In response to an inquiry from Chair Hillgren, Ms. Wisneski reported that the design is conceptual, but the intent is that the project approved at staff level is consistent with what is currently being presented. The Commission could include stipulations as part of the project approval. Staff would ensure, through the plan check process that the plans are consistent with what is being presented.

Commissioner Ameri requested adding a condition requiring a review of architectural materials by staff, prior to the issuance of building permits.

Discussion followed regarding a description of the Walker Parking Study and results, consideration of parking relative to the specific use, and elements to be in place prior to the issuance of a Certificate of Occupancy.

Interested parties were invited to address the Planning Commission on this matter.

Jeff Schulein, applicant, reported that the existing building is not representative of what Corona del Mar should be and that he would like to replace it with something more representative of the community.

Scott Laidlaw, architect, addressed challenges of working with the Zoning Code and the goals of the General Plan. He commented on the irregularly-shaped lot and grade changes and addressed creation of additional parking spaces, the angled parking on the alley and drive aisles, the intention of the architecture, enhanced architectural elements, and detailing and the awnings. Regarding the latter, he reported that the intention is to install and control the look of the awnings and provide no signage on the awnings. Mr. Laidlaw stated that materials will include a contrast of a smooth plaster skin with highly articulated wrought iron columns for a modern interpretation of old cast iron architecture, augmented with iron planter boxes.

Assistant City Attorney Mulvihill reported that she had an opportunity to review the issue of a prohibition on awning signs and stated confirmed that the General Plan addresses architecture specific to signage being consistent with the architectural character of the building. If the Planning Commission believes that the awning signs are not integrated with the design, it may require a condition that fulfills the policy. Through the Conditional Use Permit review, the Planning Commission is implementing General Plan policies.

Discussion followed regarding prohibiting requiring no signs on awnings. Vice Chair Tucker suggested that no awning signs be allowed and noted that the applicant's architect stated that the applicant was not intending to have signs on the awning as it would be inconsistent with the design proposed for the building.

There being no others wishing to address the Planning Commission, Chair Hillgren closed the public comments for this item.

Commissioner Ameri reiterated the importance of staff reviewing the materials with the architectural plans to ensure consistency with the area.

Ms. Wisneski stated that staff could draft a condition requiring staff review of the materials prior to the issuance of building permits and including the materials in the condition.

Assistant City Attorney Mulvihill suggested that the condition include the materials mentioned by the architect.

**Motion** made by Commissioner Ameri and seconded by Vice Chair Tucker and carried (6 – 0 – 1), to adopt a resolution approving Conditional Use Permit No. UP2013-007 and Variance No. VA2013-007 with an added condition listing the materials and requiring review and approval of the building materials by staff prior to the issuance of building permits.

Vice Chair Tucker added that the condition should specify the that the project would be reviewed by staff to ensure it is of use-of quality-of design and materials, and high articulation as indicated by applicant's architect and no signage on the awnings would be allowed. Commissioner Ameri agreed to modify his motion accordingly.

Ms. Nueno reported that she will review the plan to ensure it is consistent with today's discussion.

Chair Hillgren clarified that Condition Nos. 14, 18, and 19 are for prior to occupancy, not permit issuance and the maker and second of the motion agreed.

Commissioner Myers stated his support of the project and commended the project.

Chair Hillgren verified with the applicant that he was okay with the proposed changes.

Ms. Wisneski clarified that one condition will be added regarding the materials and another condition will be added regarding the awning signs.

AYES:	Ameri, Brown, Hillgren, Kramer, Myers, and Tucker
NOES:	None
ABSTENTIONS:	None
ABSENT:	Lawler

#### **IX. STAFF AND COMMISSIONER ITEMS**

##### **ITEM NO. 5 MOTION FOR RECONSIDERATION - None**

##### **ITEM NO. 6 COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

Deputy Community Development Director Wisneski reported on Council's concurrence with the Planning Commission's recommendation related to residential lot mergers to amend the findings to provide greater clarity. The Council will consider the amendment to the finding at their meeting in September.

##### **ITEM No. 7 COMMITTEE UPDATES**

###### **1. Land Use Element Amendment Advisory Committee**

Deputy Community Development Director Wisneski reported that Council has appointed a Land Use Element Advisory Committee including two Council Members, Vice Chair Tucker, Secretary Kramer, and five members at large. She stated that the intent was to address decreased development interest in some areas and increased development interest in others. She reported that the project is on a fast-track schedule and presented details of the work program. The scope is to look at land-use changes and policies. Proposed changes will be considered by the Planning Commission in the future and updates will be provided at each Planning Commission meeting. More substantial information will be presented to the Planning Commission in September. She announced a public meeting on September 9, 2013, in the Community Room at 6:00 p.m.

Vice Chair Tucker observed the last Land Use Element update and commented on the work to be done, the importance of considering the policies.

Commissioner Kramer stated the importance of making the Element more efficient and expressed appreciation for his appointment.

Vice Chair Tucker requested that hard copies of the Land Use Committee agenda be included in Planning Commission packets going forward.